

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                            |   |                     |
|----------------------------|---|---------------------|
| UNITED STATES OF AMERICA,  | ) |                     |
|                            | ) |                     |
| Plaintiff,                 | ) |                     |
|                            | ) |                     |
| v.                         | ) | No. 4:08CV01842 JCH |
|                            | ) |                     |
| ONE 1987 HARLEY DAVIDSON   | ) |                     |
| V-TWIN MOTORCYCLE,         | ) |                     |
| VIN 1HD1BKL12HY018011,     | ) |                     |
| WITH ALL APPURTENANCES AND | ) |                     |
| ATTACHMENTS THEREON,       | ) |                     |
|                            | ) |                     |
| Defendant.                 | ) |                     |

**ORDER TO SET ASIDE DEFAULT JUDGMENT OF FORFEITURE**

Plaintiff, United States of America has moved this Court, pursuant to Rule 60(b) of the Federal Rules of Civil Procedure, to set aside the Final Judgment by Default as to Nicole Moss. Plaintiff has shown that Nicole Moss may have an ownership interest in the defendant property, one 1987 Harley Davidson V-Twin Motorcycle, VIN 1HD1BKL12HY018011, with all appurtenances and attachments thereon. Nicole Moss should be served notice as a potential claimant via a certified mailing of the Government's Complaint to her last known address. Therefore, it is hereby,

ORDERED, ADJUDGED AND DECREED:

(1) That a judgment by default is kept on the record against the defendant property, one 1987 Harley Davidson V-Twin Motorcycle, VIN 1HD1BKL12HY018011, with all appurtenances and attachments thereon, as to Timothy Bartruff and all persons, not including Nicole Moss, claiming any right, title or interest in or to the defendant property;

(2) That the judgment by default as to Nicole Moss for one 1987 Harley Davidson V-Twin Motorcycle, VIN 1HD1BKL12HY018011, with all appurtenances and attachments thereon, be set aside so that the Government may serve notice upon her.

(3) That the defendant property, one 1987 Harley Davidson V-Twin Motorcycle, VIN 1HD1BKL12HY018011, with all appurtenances and attachments thereon, remain in the custody of the United States of America pending the resolution of this matter.

SO ORDERED:

  
\_\_\_\_\_  
JEAN C. HAMILTON  
UNITED STATES DISTRICT JUDGE

Dated this 27<sup>th</sup> day of May, 2009